

EXHIBIT Z9

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	§ Chapter 11
Fieldwood Energy LLC, et al.,	§ Case No. 20-33948 (MI)
Debtors.	§ (Jointly Administered)
	§

DECLARATION OF THOMAS FINLEY

1. My name is Thomas Finley. I am over the age of twenty-one (21). I am fully competent in all respects to make this Declaration, having personal knowledge of the facts stated herein, which are true and correct. I gained this personal knowledge of the matters stated in this Declaration by way of my personal involvement. I have never been convicted of a crime involving moral turpitude.

2. I am Surety Claims Professional for Zurich American Insurance Company (“Zurich”). My responsibilities as Surety Claims Professional include, but are not limited to, investigating, evaluating, managing, settling, paying, denying, or otherwise resolving claims made against bonds issued by Zurich. I am also responsible for enforcing Zurich’s indemnity rights against indemnitors, including the Debtors in this case. In performing my duties, I often retain the services of consultants and other professionals, including attorneys, to assist me. I am familiar with the manner and procedure in which surety bond claims are evaluated, litigated, and, if necessary, paid. I am also familiar with the manner and procedure in which sureties obtain indemnification for losses suffered as a result of having issued bonds.

3. The records attached hereto as *Exhibits 1-5* and upon which I relied in making this affidavit are regular and ordinary business records made at or near the time of the event or

transaction reported, recorded by or from information of a person with personal knowledge of the act or event recorded therein. Such records are kept in the regular course of business activities of Zurich and it is part of the regular business activities of Zurich to record such information and to retain such records. I am the custodian of the records attached and upon which I relied in making this affidavit.

4. On or about September 18, 2014, Fieldwood Energy, LLC, Fieldwood Energy Offshore, LLC, GOM Shelf LLC and Fieldwood SD Offshore LLC (collectively, “**Debtors**”) and others executed a General Indemnity Agreement in favor of the Surety (the “**Indemnity Agreement**”). The Indemnity Agreement is attached hereto as *Exhibit 1* and incorporated herein for all purposes. Debtors are all indemnitors (“**Indemnitors**”) to Surety under the Indemnity Agreement.

5. In reliance on the Indemnity Agreement and at the request of Debtors, Zurich issued certain surety bonds on behalf of Fieldwood Energy LLC. Specifically, Zurich issued the following performance bonds (the “**Bonds**”) in connection with the four standby letters of credit by Deutsche Bank AG New York Branch (“**Deutsche Bank**”) in favor of Apache (referred to collectively as the “**Bonds**”), all of which named Fieldwood Energy LLC as principal:

Bond Nos.	Bond Penal Limit
LPM9181831	\$67,557,356.00
LPM9181832	\$67,557,356.00
LPM9181833	\$67,557,356.00
LPM9181834	\$97,327,931.00

The Bonds are attached hereto as *Exhibits 2-5*, respectively, and incorporated herein for all purposes.

6. As a result of having issued the Bonds, and in reliance on the Indemnity Agreement, Zurich has incurred costs and expenses currently totaling \$11,056,429.67. This amount is comprised of the unpaid bond premium in the amount of \$5,629,000.00, letter of credit fees paid to Deutsche Bank on Debtors' behalf in the amount of \$4,296,000.00, and expenses for attorneys and consultants incurred in this case in the amount of \$1,131,429.67. Zurich continues to accrue additional costs and expenses under the Indemnity Agreement.

Under penalties of perjury, I declare that I have read the foregoing Declaration and that the facts stated in it are true and correct.

Signed on the 16th day of June 2021, at _____.

Thomas Finley
Printed Name

Thomas Finley
Signature